

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

THE TRUSTEES OF OREGON SHEET  
METAL WORKERS' MASTER  
RETIREMENT TRUST, SHEET METAL  
WORKERS #16 HEALTH TRUST, &  
SHEET METAL TRAINING FUND,

No. 3:24-cv-00059-AR

OPINION AND ORDER

Plaintiffs,

v.

NORTHWEST REFRIGERATION  
SERVICES, LLC,

Defendant.

**BAGGIO, District Judge:**

**I. INTRODUCTION**

On March 21, 2025, Magistrate Judge Jeff Armistead issued his Findings and Recommendation (“F&R”, ECF 26), recommending that the Court GRANT Plaintiffs’ Motion for Default Judgment (ECF 20) but reduce the amount of damages awarded. On March 28, 2025, Plaintiffs filed a “Notice of Non-Objection re Findings & Recommendation.” (ECF 28). Defendant Northwest Refrigeration Services, LLC did not file objections.

**II. DISCUSSION**

The magistrate judge makes only recommendations to the court, to which any party may file written objections. 28 U.S.C. §§ 636(b)(1)(B), (C). If a party objects, the court “shall make a

de novo determination of those portions of the report or specified proposed findings or recommendation to which objection is made.” *Id.* § 636(b)(1)(C). The court is not, however, required to review, de novo or under any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the F&R to which no objections are addressed. *Thomas v. Arn*, 474 U.S. 140, 149 (1985); *United States v. Ramos*, 65 F.4th 427, 433 (9th Cir. 2023). While the level of scrutiny that the court applies to its F&R review depends on whether a party has filed objections, the court is free to accept, reject, or modify any part of the F&R. 28 U.S.C. § 636(b)(1)(C); *see also Thomas*, 474 U.S. at 154.

### III. CONCLUSION

Upon review, the Court agrees with Judge Armistead’s recommendation and ADOPTS the F&R [26] in full. Plaintiffs have demonstrated they are entitled to default judgment against Defendant and an award of \$166,518.11 in damages (\$144,952.16 for damages on Claim 1, \$14,295.95 for damages on Claim 2, \$6,520 in attorney fees for attorney and paralegal work, and \$750 in costs).

IT IS SO ORDERED.

DATED this 21st day of April, 2025.



---

AMY M. BAGGIO  
United States District Judge